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McDERMOTT, WILL & EMERY

November 27, 1995

VIA U.S. EXPRESS MAIL

Commissioner of Patents and Trademarks
Box Missing Parts
Washington, D.C. 20231

Re: U.S. Patent Application No. 08/517,016
Applicant: William E. Marshall and Michael K. Hoffman
Filed: August 18, 1995

Dear Sir or Madam:

I have enclosed a Petition for a One (1) Month Extension of time, along with copies of documents which were filed by U.S. Express Mail on November 22, 1995. Applicant's attorney inadvertently failed to enclose a Petition for a One (1) Month Extension of Time with the documents filed on November 22, 1995.

Applicant submits that this Petition, and the documents filed on November 22, 1995, are timely filed with a one-month extension.

Please contact Applicant's undersigned attorney if you have any questions.

Respectfully submitted,

John G. Bisbikis
John G. Bisbikis
Reg. No. 37,095
Attorney for Applicant

Enclosure

\31017\011\51CORMMD.012

"EXPRESS MAIL" Mailing Label Number: TB654690421US

Date of Deposit: November 27, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Brian A. Brown
Brian A. Brown

\31017\011\51CORJGB.003

Applicant: William E. Marshall & Michael K. Hoffman

Docket No. 31017-011

Methods of Modulating the Immune Systems of Animals

Serial No./Pa. No.

08/517,016

Title:

Date Sent: 11/22/95 Regular Mail Cert. of Mailing

Express Mail No. TB654690410 US

Transmittal Letter

Trademark/Service Mark/Intent-To-Use Application

Utility/Design/Continuation/CIP/FWC/Divisional/PCT

Amendment to Allege Use Statement of Use

Other:

Formal/Informal/Substitute Drawing Sheet

 pages of Specification (including

 (no. of) Substitute/Specimens

 pages of Claims); Abstract

Continued Use Affidavit/Declaration (Section 8 & 15)

 pages of Formal/Informal Drawings

Notice of Opposition/Answer To _____

Information Disclosure Statement

Ex Parte Appeal

Form PTO 1449

Petition for Cancellation/ Answer To _____

 copies of cited references

Renewal of Reg. No. _____

Verified Statement of Small Entity Status

Declaration

Transmittal of Issue Fee Form PTO 85b Form PTO 85c

Power of Attorney

Maintenance Fee for years after grant

Request for - day/month Extension of Time

Notice of Appeal Appeal Brief

Order for Certified/Status/ copies

Recordation of Patent Trademark: Assignments/Security Agreements/

Response to Office Action of 9/26/95 Petition to Commissioner for _____

Other: Including: 1) Copy of Notice to File Missing Parts; 2) Declaration and Power of Attorney
3) Small Entity Declaration and 4) Assignment with Recordation Cover Sheet.

Check for \$ Deposit Account charge for \$ 105.00 Attorney: John G. Bishikis J. Bish

PATENT/TRADEMARK
OFFICE DATE STAMP:

PATENT/TRADEMARK OFFICE
SERIAL NUMBER STAMP:

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

RETAIN THIS NUMBER-CUSTOMER
RECEIPT WILL BE MAILED TO YOU.

TB654690410 US



CASE NO. 31017-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
William E. Marshall and)
Michael K. Hoffman)
)
For: Methods of Modulating) Examiner: Unknown
the Immune Systems of)
Animals with)
Compositions of)
Products Released by) Group Art Unit: Unknown
Stressed Microorganisms)
)
Serial No. 08/517,016)
)
Filed: August 18, 1995)

SUBMISSION OF MISSING PARTS
UNDER 37 C.F.R. §1.53

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Noting to File Missing Parts of
Application Filing Dated Granted, mailed on September 26, 1995,
enclosed are the following items for filing in the above
referenced application:

1. A copy of the Notice to File Missing Parts of
Application Filing Date Granted;
2. Declaration and Power of Attorney;

"EXPRESS MAIL" Mailing Label Number: T8654690410US
Date of Deposit: November 22, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express
Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the
Assistant Commissioner for Patents, Washington, D.C. 20231.



Brian Brown

3. Assignment of Invention to Immunom Technologies, Inc. with Recordation Cover Sheet; and

4. Small Entity Declaration - small business concern.

The Commissioner is hereby authorized to charge Applicants' Attorney's Deposit Account No. 13-0206 in the amount of \$65.00 to cover the fees under 37 CFR § 1.16(e) for the late filing of the Declaration. As indicated on the enclosed Patent Recordation Cover Sheet, the Commissioner is authorized to charge Applicants' Attorney's Deposit Account No. 13-0206 in the amount of \$40.00 to cover the fees under 37 CFR § 1.21(h) for recording the Assignment.

The Commissioner is also authorized to charge any payment of any additional fees due or credit any overpayment to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

Having now complied with all of the requirements of 37 C.F.R. § 1.53, Applicants respectfully request that this application be placed upon the files for examination.

Respectfully submitted,

John G. Bisbikis

John G. Bisbikis
Reg. No. 37,095
Attorney for Applicant

John G. Bisbikis
McDermott, Will & Emery
227 West Monroe Street
Chicago, Illinois 60606-5096
(312) 984-3612

\31017\011\51RESJGB.001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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08/517,016 08/18/95 MARSHALL W 31017-011

0272/0926

WILLIAM E MARSHALL
112 SUCCABONE ROAD
BEDFORD HILLS NY 10507-2221

0000

DATE MAILED:

09/26/95

**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a large entity, small entity (verified statement filed), is \$ 555.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. The statutory basic filing fee is: missing insufficient. Applicant as a large entity small entity, must submit \$ 365 to complete the basic filing fee.
2. Additional claim fees of \$ 60 as a large entity, small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. The oath or declaration:
 is missing.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. The signature(s) to the oath or declaration is/are: missing; by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.
8. A \$ _____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9. Your filing receipt was mailed in error because your check was returned without payment.
10. The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
11. Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.

BEST AVAILABLE COPY